

MISSOURI DEPARTMENT OF
HEALTH AND SENIOR SERVICES

FAMILY CARE SAFETY REGISTRY
ANNUAL REPORT

FISCAL YEAR 2005

FAMILY CARE SAFETY REGISTRY

ANNUAL REPORT – FY 2004

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INTRODUCTION

Families are faced with making a difficult decision when hiring someone to help care for a child, elderly or disabled person, whether it is locating child care, placing a family member in a nursing home, or finding a caregiver to come into their private home to provide care. Many times this caregiver has unsupervised access to these most vulnerable family members. The family may have limited time to form an opinion about the suitability of a caregiver and may have little or no opportunity to make inquiries into their background. Several state agencies currently offer information that can assist the family with making a decision, but in order to obtain it families are required to complete and submit forms; it may take anywhere from several days to several weeks to receive background screening information.

The Missouri Department of Health and Senior Services, in coordination with the departments of Social Services, Public Safety, Mental Health and Corrections, established the Family Care Safety Registry and Access Line on January 1, 2001 in accordance with the Family Care Safety Act (Sections 210.900 to 210.936, RSMo).

The Family Care Safety Registry (Registry) serves as a resource for background screening information maintained by the Missouri State Highway Patrol (MSHP), Department of Social Services (DSS), Department of Mental Health (DMH) and the Department of Health and Senior Services (DHSS). Those wishing to hire a caregiver may contact the Registry using a toll-free access line or the internet and obtain background information. Information accessed by the Registry includes: criminal history, Sex Offender Registry, substantiated claims of child abuse/neglect, the DHSS Employee Disqualification List, the DMH Employee Disqualification Registry and foster parent license denials, revocations and suspensions.

In addition to the needs of families, many employers of child-care, elder-care and personal-care workers are required to obtain background screening information for staff in order to obtain or maintain licensure. Employers, such as child-care centers and nursing homes, often have difficulty in recruiting and maintaining skilled staff. The delays they currently experience in obtaining background screening results can impact their ability to hire and retain staff. These employers are required to contact several state agencies in order to comply with statutes or regulations for background screening. The Registry offers these employers an alternative to their current method of obtaining background screening information.

The Registry became operational January 1, 2001 and utilizes a computer interface to streamline the process to obtain background information from various state agencies. The Registry maintains a toll-free access line to respond to requested information and allows the requestor to receive an immediate response as often as they like at no cost. The access line is staffed from 7:00 a.m. to 6:00 p.m., Monday through Friday.

REGISTRY OPERATIONS

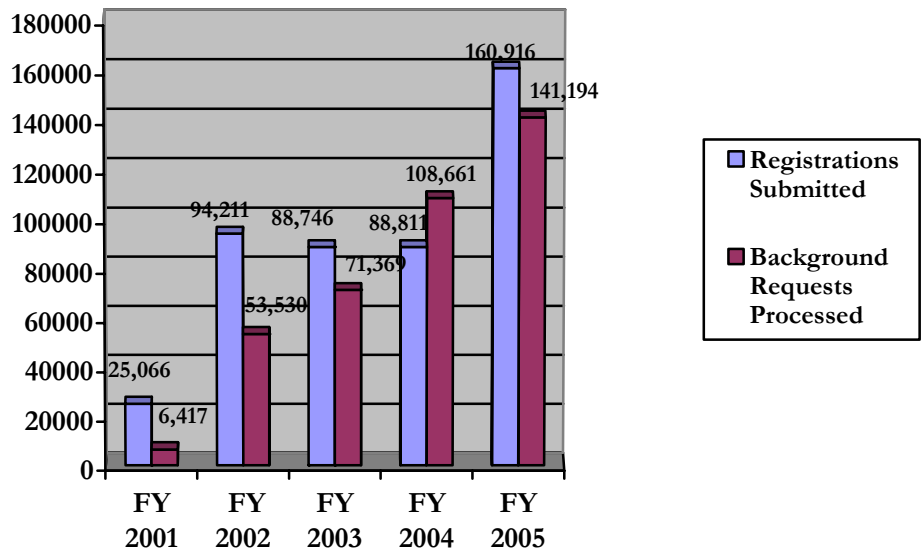
The Registry maintains a database of caregivers, child-care, elder-care and personal-care workers who are required to register within 15 days of hire. The caregiver's name, address, social security number and date of birth information are entered into a computer system. As part of the registration process, an electronic background screening is performed using a computer interface to search criminal history, the Sex Offender Registry, the child abuse/neglect registry, the DHSS Employee Disqualification List, the DMH Employee Disqualification Registry and foster parent license information. The result of the background screening reflects real-time information from these computer files. The caregiver receives the background screening results at the time they complete registration.

After registration is completed, employers (including family members) may contact the Registry using a toll-free access line, the internet, FAX or by mail to obtain a background screening on caregivers who are registered, at no cost to the requestor. A new background screening is obtained using the computer interface each time a request is received. This means if information was added or deleted from the computer files, by an interfaced agency (DSS, DHSS, DMH, MSHP), the addition or deletion will be reflected in the result reported. Both the requestor and the caregiver receive written notification of the background screening results provided. The caregiver is also provided with the name and address of the employer who made the request.

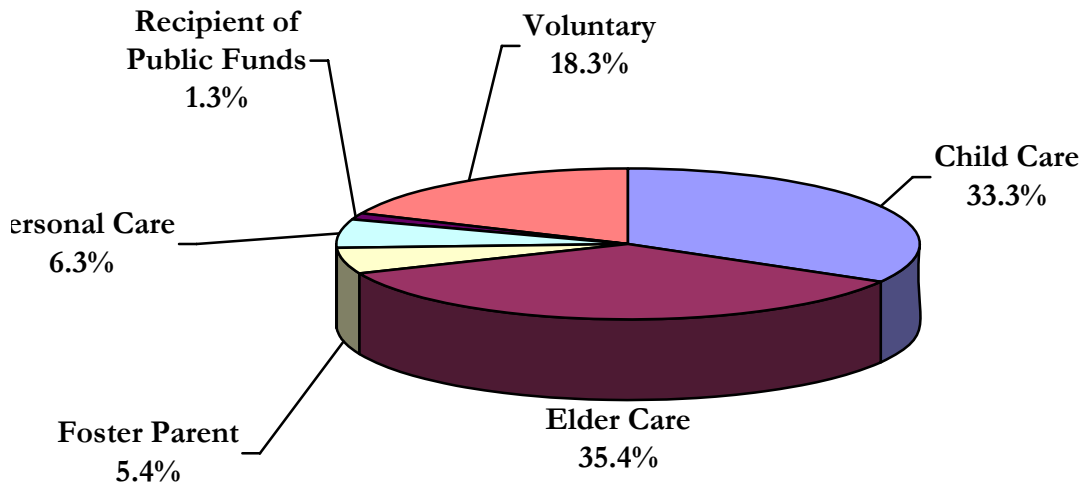
The Registry is a request-driven system, so information is provided to employers only when they contact the Registry. The Registry is not authorized to proactively contact employers or regulatory agencies to alert them of a change in the background of an individual.

Since January 1, 2001, the Registry received 366,863 registrations from caregivers and processed 381,281 background requests. The number of new registrations dramatically increased by 81% between FY 2004 and FY 2005. In comparison, the number of background requests from employers increased by 30%. These statistics reflect the affect of additional responsibilities added to the Registry by the legislature.

Registry Activity FY 2001 - FY 2005



Registrations by Caregiver Occupation FY 2005

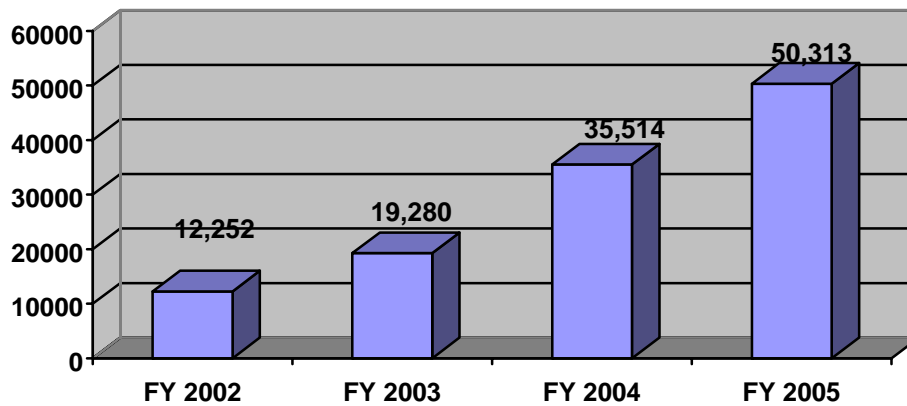


TOLL-FREE ACCESS LINE

The Registry makes a toll-free access line available to families and employers for the purpose of obtaining background screening results. The access line is staffed by nine (9) health professionals who assist callers not only with obtaining background screening results, but also with identifying other resources for information. In addition to the background screening requests received by internet, mail and FAX, the Registry received 50,313 calls on the toll-free access line in FY 2005. The following charts provide statistical information related to the toll-free access line.

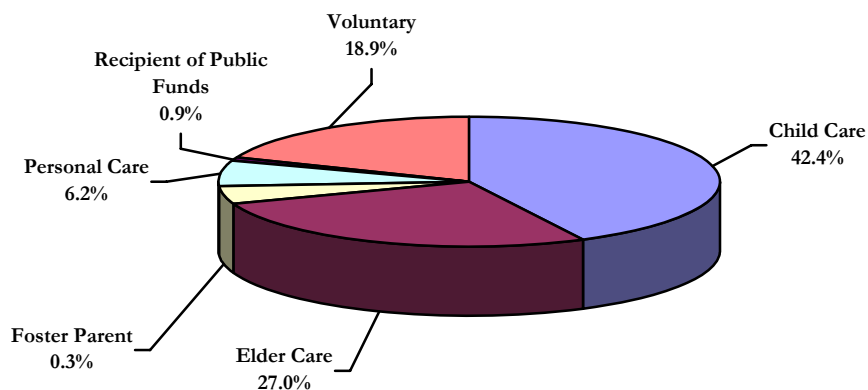
Toll-Free Access Line Activity – Calls Received

FY 2002 – FY 2005



Registry Background Screening Requests by Caregiver Occupation

FY 2005



ENHANCEMENTS

The Registry experienced phenomenal growth in FY 2005 as a result of the implementation of SB 556 passed in 2004. In response to this increased need, the Registry successfully developed and implemented an internet background screening system. The internet system allows licensed or regulated employers and state agency staff to request and receive background screening information using an internet application. This system, implemented in June, 2005 has been well received by employers and usage is expected to greatly improve response time as well as reduce the workload for the Registry's staff. The Registry will continue to market the system to high volume users throughout FY 2006.

The Registry also initiated development of an internet based registration system, that will allow a caregiver to complete the registration process, including paying the \$5.00 fee electronically. This system is expected to be implemented in FY 2006 and is expected to improve response time and reduce costs incurred by the Department.

Passage of SB 539 in the 2005 legislative session will again add additional responsibilities to the Registry, as individuals employed as personal care attendants will be required to register. Although these caregivers have been required to register, this legislation also requires their consumer and the independent living centers to obtain updated background screenings in order for them to continue to receive reimbursement. The internet systems are projected to allow the Registry to absorb the additional workload without requiring additional staff and minimizing expenses.

In 2005, Governor Blunt recommended and the legislature approved funding four (4) additional staff to be added to the Registry in response to the additional workload required by passage of SB 556 in FY 2004. The additional staff will be hired in the first quarter of FY 2006 and are expected to improve response time and improve customer service.

The Registry also improved the efficiency of the electronic interface by incorporating a search of Foster Parent License files and Child Care license files. Although authorized to release this information, the inconsistencies in the databases maintained for these licensing files did not allow for the information to be incorporated until FY 2005. This implementation was made possible by a cooperative effort by both DHSS and DSS information technology staff. Implemented in April , 2005, the result has been improved response time and improved customer service

IDENTIFIED BARRIERS

The Registry continues to explore options to improve services to the public. Through discussions with employers, and state and federal agencies, the following barriers have been identified:

1. Section 210.921.1(2), RSMo., restricts the immediate dissemination of specific detailed background screening information to agencies licensed by the state. The efficiency of mail services has been greatly affected by security measures implemented by both the U.S. Postal Service and the state of Missouri. The DHSS and DMH certify or contracts with many service providers who are adversely affected by the delay that results from waiting for results to be disseminated by mail.
2. Respond to requests from voluntary or recreational associations.

The Registry is authorized to release background screening information to employers only. Many voluntary or recreational associations (YMCA, Boy Scouts, church youth groups) have expressed interest in utilizing the Registry to obtain background screening information, but are prevented from doing so because the individuals they are screening are unpaid volunteers. Many such associations are required to have timely screenings by insurers as a precondition to renewing some insurance policies, a requirement shared with traditional employers. These voluntary associations currently are using an outdated request system called the Caregiver Background Screening Service (CBSS). The CBSS was created by Executive Order 99-05 in 1999 by Governor Carnahan and was intended to eventually be replaced by the Registry. In order to accommodate requests from the voluntary agencies, the Registry's statute would need to be revised to add additional authority.

3. Enable additional internet-based services.

The Registry receives numerous requests from employers to use the internet to complete the registration process. This would improve response times and reduce backlog during high utilization periods. An internet-based registration system is expected to be implemented in FY 2006.

4. National criminal history.

Although most Missouri employers only require a background screening that accesses Missouri data, the Registry often receives requests from regulated or licensed providers to obtain national, or FBI criminal history information, based on fingerprints. Because of the real possibility of a person disqualified for employment in one state moving to another state and seeking similar

employment, many employers and licensure agencies feel there is significant risk if the background screening does not reflect an individual's complete criminal history. The Volunteers for Children Act (VCA), Pub L. 105-251 only authorizes government agency to reveal to an employer whether the individual in question is listed in the FBI criminal history records and disclose whether the record disqualifies the caregiver from employment according to state statute. The Registry could provide a centralized point for the request and release of information allowed by the VCA.

5. Missouri driving records.

It may be essential in certain circumstances for the employer to obtain driving record information, such as municipal court DWI convictions, as part of a background screening when the individual would be responsible for transporting children, the elderly or disabled. Employers are currently able to contact the Department of Revenue (DOR) to request a copy of an individual's driving record for this purpose. Because the Registry is not authorized to obtain driving record information, employers must continue their current process to obtain driving record information from the DOR. Expanding the Registry's authority to include driving records would reduce duplication and expense for certain types of employers.

6. Required registration of existing employees.

The Family Care Safety Act requires child-care and elder-care caregivers employed on or after January 1, 2001 and personal-care caregivers employed on or after January 1, 2002 to register within 15 days of employment. This means that caregivers currently employed are not required to register unless they change positions or employers. Because employers may only obtain a background screening from the Registry on registered caregivers, the employer must continue their current process to obtain a background screening on individuals employed prior to those dates.

7. Joint responsibility for registration.

Section 210.906.1, RSMo., places the responsibility to register with the Family Care Safety Registry on the individual caregiver, rather than on their employer. Communicating this requirement to the caregiver is difficult, if not impossible, without the cooperation and assistance of their employer. The Registry has contacted provider organizations, and conducted targeted mailings to licensed child-care providers, nursing homes, home health care, hospice, and foster parents. However, informing the caregiver of their requirement to register will continue to be a challenge.

8. Additional background screening information resources.

The Registry identified additional sources of information that employers currently access when making a hiring decision. These sources include licensure and certification information maintained by various state agencies, including reporting from the Certified Nurse Assistant Registry maintained by DHSS, and licensure information on home health agencies, hospice providers, hospitals, ambulatory surgical centers, nursing home administrators, health care professionals (nurses, physicians, therapists, social workers, etc.), and teachers. Allowing access to this information from a central source, such as the Registry would further reduce duplication and expense to employers and possibly expedite their hiring process.

RECOMMENDATIONS

Based on an evaluation of the barriers identified, the Department of Health and Senior Services offers the following recommendations:

1. Expand the language in Section 210.921.1(2), RSMo., to allow providers certified or contracted by DHSS and DMH to obtain specific detailed background screening information immediately.
2. Authorize the Registry to integrate the reporting of national criminal history information as authorized under the Volunteers for Children Act.
3. Authorize the Registry to provide background screening information to voluntary or recreational associations that perform background screenings on unpaid volunteers.
4. Provide the additional funding that would allow the Registry to implement the option of web-based registration via the internet.
5. Authorize access to Missouri driving record information currently available through the DOR.
6. Require child-care and elder-care workers employed prior to January 1, 2001 and personal-care workers employed prior to January 1, 2002 to register.
7. Require those persons or facilities licensed by a state agency to become responsible for registration of caregivers they employ. Also, require that state licensure agencies monitor compliance as part of licensure activity.
8. Authorize the Registry to provide licensure and certification information maintained by various state agencies, including the CNA Registry, home health facilities, hospice facilities, hospitals, ambulatory surgical centers, nursing home administrators, health care professionals (nurses, physicians, therapists, social workers, etc.), and teachers.